

(c) *Information and informational materials.* (1) The prohibitions of §§ 560.204 and 560.206 do not apply to the exportation from the United States to Iran of information and informational materials, as defined in § 560.315, whether commercial or otherwise, regardless of format or medium of transmission, or any transaction of common carriers incident to such exportation.

(2) Paragraph (c)(1) of this section does not authorize transactions related to information and informational materials not fully created and in existence at the date of the transaction, or to the substantive or artistic alteration or enhancement of information or informational materials, or the provision of marketing and business consulting services by a United States person. Such prohibited transactions include, without limitation, payment of advances for information or informational materials not yet created and completed, and provision of services to market, produce or co-produce, create or assist in the creation of information or informational materials.

(3) Paragraph (c)(1) does not authorize transactions incident to the exportation of restricted technical data as defined in part 779 of the Export Administration Regulations, 15 CFR part 779, or to the exportation of goods for use in the transmission of any data. The exportation of such goods to Iran is prohibited, as provided in § 560.204.

(d) *Travel.* The prohibitions contained in this part do not apply to transactions ordinarily incident to travel to or from any country, including importation of accompanied baggage for personal use, maintenance within any country including payment of living expenses and acquisition of goods or services for personal use, and arrangement or facilitation of such travel including nonscheduled air, sea, or land voyages. This exemption extends to transactions with Iranian carriers and those involving group tours and payments in Iran made with cash or traveler's checks for transactions incident to personal travel. The use of currency drafts, charge, debit, or credit cards is not permitted.

(e) *Letters of Credit.* Letters of credit and other financing agreements with respect to trade contracts in force as of

May 6, 1995, may be performed pursuant to their terms with respect to underlying trade transactions occurring prior to 12:01 a.m. EDT, June 6, 1995. See § 560.413.

Subpart C—General Definitions

§ 560.301 Effective date.

The term *effective date* means:

(a) 12:01 p.m., Eastern Standard Time, October 29, 1987, for all prohibitions set forth in § 560.201.

(b) 12:01 a.m., Eastern Daylight Time, June 6, 1995, for all prohibitions set forth in §§ 560.204, 560.205, and 560.206 with respect to trade transactions based on contracts in force as of May 6, 1995, and which were authorized pursuant to federal regulations in force immediately prior to May 6, 1995.

(c) 12:01 a.m., Eastern Standard Time, March 16, 1995, for all prohibitions set forth in § 560.209 and the prohibitions set forth in § 560.203 as they apply to the prohibitions set forth in § 560.209.

(d) 12:01 a.m., Eastern Daylight Time, May 7, 1995, for all other prohibitions contained in this part.

§ 560.302 [Reserved]

§ 560.303 Iran; Iranian.

The term *Iran* means the territory of Iran, and any other territory or marine area, including the exclusive economic zone and continental shelf, over which the Government of Iran claims sovereignty, sovereign rights or jurisdiction, provided that the Government of Iran exercises partial or total *de facto* control over the area or derives a benefit from economic activity in the area pursuant to an international agreement. The term *Iranian* means pertaining to Iran as defined in this section.

§ 560.304 Government of Iran.

The term *Government of Iran* includes:

(a) The state and the Government of Iran, as well as any political subdivision, agency, or instrumentality thereof;

(b) Any entity owned or controlled directly or indirectly by the foregoing;

(c) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause

to believe that such person is, or has been, since the applicable effective date, acting or purporting to act directly or indirectly on behalf of any of the foregoing; and

(d) Any person or entity designated by the Secretary of the Treasury as included within paragraphs (a) through (c) of this section.

§ 560.305 Person; entity.

(a) The term *person* means an individual or entity.

(b) The term *entity* means a partnership, association, trust, joint venture, corporation or other organization.

§ 560.306 Iranian-origin goods and services.

(a) The term *goods or services of Iranian origin* includes:

(1) Goods grown, produced, manufactured, extracted, or processed in Iran;

(2) Goods which have entered into Iranian commerce; and

(3) Services performed in Iran or by the Government of Iran, as defined in § 560.304.

(b) The term *services of Iranian origin* does not include:

(1) Diplomatic and consular services performed by or on behalf of the Government of Iran;

(2) Diplomatic and consular services performed by or on behalf of the Government of the United States; or

(3) Services provided in the United States by an Iranian national resident in the United States.

§ 560.307 United States.

The term *United States* means the United States, including its territories and possessions.

§ 560.308 Importation.

The term *importation* means the bringing of any goods into the United States, except that in the case of goods transported by vessel, “importation” means the bringing of any goods into the United States with the intent to unlade them.

§ 560.309 [Reserved]

§ 560.310 License.

Except as otherwise specified, the term *license* means any license or au-

thorization contained in or issued pursuant to this part.

§ 560.311 General license.

The term *general license* means any license or authorization the terms of which are set forth in this part.

§ 560.312 Specific license.

The term *specific license* means any license or authorization not set forth in this part but issued pursuant to this part.

§ 560.313 Entity owned or controlled by the Government of Iran.

The term *entity owned or controlled by the Government of Iran* includes any corporation, partnership, association, or other entity in which the Government of Iran owns a majority or controlling interest, and any entity which is otherwise controlled by that government.

§ 560.314 United States person.

The term *United States person* means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States.

§ 560.315 Information or informational materials.

(a) The term *information or informational materials* includes, without limitation:

(1) Publications, films, posters, phonograph records, photographs, microfilms, microfiche, tapes, compact disks, CD ROMs, artworks, and news wire feeds.

(2) To be considered *information or informational materials, artworks must be classified under chapter subheading 9701, 9702, or 9703 of the Harmonized Tariff Schedule of the United States.*

(b) The term *information and informational materials* with respect to United States exports does not include items:

(1) That were, as of April 30, 1994, controlled for export pursuant to section 5 of the Export Administration Act of 1979, 50 U.S.C. App. 2401-2420 (the “EAA”), or section 6 of the EAA to the extent that such controls promote the nonproliferation or antiterrorism policies of the United States, including